ANNUAL REPORT - 1982

PRINCE EDWARD ISLAND

LAND USE COMMISSION

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During the calendar year 1982 the Land Use Commission engaged in a broad range of activities relating to the use and ownership of land within the province. Twenty meetings were held during the year. The main activities of the Commission can be summarized as follows:

1. Appeals.

The Land Use Commission hears appeals from persons who are dissatisfied with decisions made by government agencies and municipal governments under the Planning Act and the Unsightly Properties Act. Most appeals are submitted by persons who have been refused permission to subdivide their land or from persons who are refused a building permit. In a much smaller number of cases, citizens are appealing decisions involving the approval of a subdivision or building permit. In 1982 the Commission made decisions on 7 appeals under the Planning Act. Three were appeals of decisions of the Department of Community Affairs; the remainder were appeals of decisions made by municipalities under the authority of Official Plans. The number of appeals heard by the Commission has decreased greatly in the past two years, reflecting the low level of building activity within the province.

2. Non-resident and Corporate Land Ownership

On May 7, 1982 the Prince Edward Island Lands Protection Act was proclaimed and Sections 3, 4 and 5 of the Real Property Act were repealed. The Commission was active in discussions

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leading to the new Act and since its passage has been responsible for its administration.

The Commission is responsible for making recommendations to Executive Council on all applications from non-residents and non-farm corporations seeking to acquire land in the province. Since 1980 the Commission has also been responsible for the administration of the legislation.

During the course of the year the Commission made recommendations on 98 non-resident and 76 corporate applications. Land Identification Agreements were recommended for 49 properties. Two requests to release land from land identification agreements were granted. No applications for special permits to exceed permitted land limits have yet been received.

There was a marked reduction in the number of applications received as compared to 1981. In part, the reduction reflects a lower level of activity in the land market in 1982. In addition, under the new Act, farm corporations are exempt, non-resident exemptions have been slightly broadened, and parcels of one acre or less within incorporated municipalities are no longer considered as land.

3. Public Hearings.

No public hearings were held in 1982. Public hearings on land use policy are normally held at the request of Executive Council.

4. Official Plans.

Official Plans were approved for the Village of St. Eleanors

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and for the Community Improvement Committees of Alexandra and Miltonvale Park. Most suburban communities in the Charlottetown and Summerside areas now have their own Official Plans and administer their own subdivision and building regulations.

5. Municipal Boundary Extensions.

No applications were received for the extension of municipal boundaries during the year.

6. Changes in the Composition of the Commission.

Mr. Gregory Deighan of Summerside was appointed to replace Mr. Layton Green of Albany who resigned from the Commission for reasons of health. Mr. Philip Curley and Mr. Eric Fullerton were re-appointed for two year terms. Mr. Joseph Walsh remains as Commission Chairman.

During the first half of 1982 the Executive Director was seconded on a part-time basis to assist in the work of the Commission of Inquiry into the Costs of Electric Power to the Residents of Prince Edward Island.

Joseph Walsh
Chairman

March 15, 1983